

Appl. No. 10/748,830
Amdt. Dated March 6, 2007
Reply to Final Office Action of January 17, 2007

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REMARKS

Claims 1-5 and 7-16 remain unchanged.

Claims Rejections under 35 U.S.C. 103

Claims 1-2, 8-9, 11-12 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gove et al. (US 5,489,952) in view of Yang (US 5,612,814).

In response to rejections thereto, Applicant traverses the rejections for the following reasons:

Claim 1 recites in part:

... a micro-mirror unit, the micro-mirror unit comprising a micro-mirror array comprising at least three micro-mirrors, each characterized with one single original color and each being configured so as to receive the white light beams incident thereupon, the white light beams having been emitted directly from the light source without being reflected; and

a projection lens;

wherein the micro-mirror unit is configured for being selectably switched between an on state and an off state according to a driving signal, the micro-mirror unit reflecting light beams emitted from the light source to the projection lens in the on state, the micro-mirror unit not reflecting said light beams to the projection lens in the off state, ...

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Similarly, claim 8 recites in part:

... a micro-mirror array comprising a red micro-mirror, a green micro-mirror, and a blue micro-mirror, each micro-mirror functioning as a color filter and being configured for receiving and reflecting the light beams directly emitted from the light source to the projection lens, each micro-mirror being configured for reflecting light beams emitted from the light source to the projection lens when in an on state and further being configured for not reflecting said light beams to the projection lens when in an off state; and

a driving circuit for providing a digital signal to the micro-mirror array to maintain each micro-mirror thereof one of in an on state and in an off state.

Likewise, claim 11 recites in part:

... a micro-mirror array comprising at least three micro-mirrors, each characterized with one single original color, and functioning as a color filter and being configured for receiving and reflecting the light beams directly emitted from the light source to the projection lens; and

a driving circuit for providing a digital signal to the micro-mirror array to maintain each micro-mirror thereof in an on state or in an off state, each micro-mirror being configured for reflecting light beams emitted from the light source to the projection lens when in

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the on state and further being configured for not reflecting said light beams to the projection lens when in the off state; wherein through an on-off state change of each of said micro-mirror, a combination of the light beams defines at least 2^3 alternatives.

The Examiner concedes (Final Office Action, Page 4) that "Gove does not teach the use of color filter means as a means for providing colored light from the spatial modulator." However, **more than not teaching a color filter means**, per se, Gove et al. **fails to particularly teach or suggest a micro-mirror that is able to function**, in part, as a **color filter means** and that is thus able to have only a single color associated therewith. As such, Gove et al. clearly fails to teach or suggest the subject matter set forth in any of claims 1, 8, and 11.

The Examiner provides Yang in an attempt to overcome the above-shortcomings of Gove et al. Yang discloses, at Column 4, lines 39-44, that "the array of MxN pixel filters 220" is "disposed between the field lens 210 and the array 250 of MxN actuated mirrors 230." From this disclosure and from Figure 2, it is quite clear that the color filters 220 of Yang are separate and distinct from the actuated mirrors 230. That is, Yang has to provide the additional color filters 220 since the **actuated mirrors 230 themselves are not capable of filtering light**. Therefore, Yang does not disclose or suggest a micro-mirror array comprising at least three micro-mirrors, each characterized with one single original color, as effectively required in each of claims 1, 8, and 11. Accordingly, Yang is unable to overcome the shortcomings associated

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with Gove et al., in the context of the subject matter of claim 1, 8, and/or 11.

Moreover, a teaching or a suggestion to make such a claimed combination cannot be found in the cited references, e.g., Gove et al. and Yang et al. The Examiner alleged that it would have been obvious to one skilled in the art at the time of the invention to modify Gove et al. with Yang et al. However, such a desirability can be found neither in Yang et al. nor in Gove et al. On the contrary, a teaching, a suggestion, or a desirability to do so can only be found in Applicant's prosecution documents (Communication filed on Nov. 04, 2005, Page 15), evincing the use of impermissible hindsight (MPEP §2145.X.A.).

For at least the foregoing reasons, claims 1, 8, and 11 are submitted to be novel, unobvious, and patentable over Gove et al. in view of Yang et al. As such, reconsideration and withdrawal of the rejection and allowance of claims 1, 8, and 11 are respectfully requested. Claims 2, 9, 12 and 16 depend from claim 1, 8 and 11, respectively, and therefore should also be allowable.

Claims 3-5, 7, 10, 13-14 are rejected under 35 U.S.C 103(a) as being unpatentable over Gove et al. and Yang et al. and further in view of Hornbeck (5,583,688).

Claims 3-5, 7 depend from claim 1 and, therefore, should also be allowable.

Claims 10 and 14 depend from claim 8 and, therefore, should also be

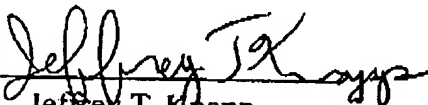
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allowable.

Claim 13 depends from claim 11 and, therefore, should also be allowable.

In view of the foregoing, the present application as defined in the pending claims is considered to be in a condition for allowance, and an action to such effect is earnestly solicited.

Respectfully submitted,
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